

CIVIL SUMMONS

STATE OF TENNESSEE, COUNTY OF KNOX 5<sup>th</sup> Sessions Court  
To Any Lawful Officer to Execute and Return: Summon, MARY BURDINE

To appear before the General Sessions Court of Knox County, Tennessee, on the 27<sup>TH</sup> day  
of JUNE, 2018, at 9:00 a.m. then and there to answer in a civil action brought by

NATIONAL FITNESS CENTER, INC.

For Default on sworn account in the amount of \$5781.78 Plus attorney fee of \$1156.36, if applicable  
for the total of \$6938.14 Contract calls for cost of collections, reasonable attorney fee. Plus the cost  
of this action.

Old Courthouse corner of Gay Street & Main Street 3<sup>rd</sup> Floor Room 331 5<sup>th</sup> Sessions Courtroom

JUDGMENT

Judgment for \_\_\_\_\_ against \_\_\_\_\_ for \$ \_\_\_\_\_  
Plus interest at the rate of \_\_\_\_\_ % and cost of suit, for which execution may issue.

Judgment entered by: Default ☐ Agreement ☐ Trial ☐

Dismissed: Without prejudice ☐ With prejudice ☐

Cost taxed to: Plaintiff ☐ Defendant ☐

Defendant(s) \_\_\_\_\_ in Court and admitted to jurisdiction of  
court. This the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Judge, Div. \_\_\_\_\_

ORDER

This the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Judge, Div. \_\_\_\_\_

DOCKET NUMBER 117594

NATIONAL FITNESS CENTER, INC.

vs.

MARY BURDINE

Plaintiff(s)

SSN: XXX-XX-7505

Defendant(s)

HOME: 8323 TUMBLED STONE WAY

KNOXVILLE, TN 37931

CELL: (941) 447-7000

CIVIL WARRANT

Court of General Sessions  
Catherine F. Shanks, Clerk

By 5.9 Deputy Clerk

Issued 5.9, 2018

Set for JUNE 27, 2018

at 9:00 a.m.

Reset for \_\_\_\_\_

Served upon: All Named Defendants  
All Defendants Except: \_\_\_\_\_

Served \_\_\_\_\_, 20\_\_\_\_

Served by: \_\_\_\_\_  
Sheriff/Constable (Process Server)

FILED

Attorney for Plaintiff: Stanley F. Roden

PO Box 50426, Knoxville, TN 37950 (865)862-7940

Attorney for Defendant: \_\_\_\_\_

Telephone \_\_\_\_\_

## NOTICE

## AFFIDAVIT

## APPEAL

### TO THE DEFENDANT(S):

Tennessee law provides a ten thousand dollar (\$10,000.00) personal property exemption from execution or seizure to satisfy a judgment. If a judgment should be entered against you in this action and you wish to claim property as exempt, you must file a written list, under oath, of the items you wish to claim as exempt with the clerk of the court. The list may be filed at any time and may be changed by you thereafter as necessary; however, unless it is filed before the judgment becomes final, it will not be effective as to any execution or garnishment issued prior to the filing of the list. Certain items are automatically exempt by law and do not need to be listed; these include items of necessary wearing apparel (clothing) for yourself and your family and trunks or other receptacles necessary to contain such apparel, family portraits, the family Bible, and school books. Should any of these items be seized, you would have the right to recover them. If you do not understand your exemption right or how to exercise it, you may wish to seek the counsel of a lawyer.

To the best of my information and belief, after investigation of Defendant's employment, I hereby make affidavit that the Defendant is/is not a member of a military service.

From the judgment on the reverse hereof, the \_\_\_\_\_  
prayed an appeal.

To the Circuit Court which is granted upon Pauper's Oath or Appeal Bond.

### ATTORNEY FOR PLAINTIFF OR PLAINTIFF

This \_\_\_\_\_ day of \_\_\_\_\_,

### SWORN TO AND SUBSCRIBED BEFORE ME

This \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

### Notary Public.

Judge of the Court of General Sessions

My term expires: \_\_\_\_\_

Division No \_\_\_\_\_

### **\*\*NOTICE\*\***

The American with Disabilities Act prohibits discrimination against any qualified individual with a disability. The Tennessee Judicial Branch does not permit discrimination against any individual on the basis of physical or mental disability in accessing its judicial programs. In accordance with the Americans with Disabilities Act, if necessary, the Tennessee Judicial Branch will provide reasonable modifications in order to access all of its programs, services and activities to qualified individuals with disabilities.

If you require a modification to access the judicial program and/or have special needs because of a qualified disability, you must submit a written Request for Modification to the Local Judicial Program ADA Coordinator listed below at least five (5) business days prior to the date of the judicial program, if possible. A form is available from the Local Judicial Program ADA Coordinator or from the Tennessee Judicial Program ADA Coordinator. <http://www.tsc.state.tn.us>

If you need assistance, have questions or need additional information, please contact the Local Judicial Program ADA Coordinator:

If you need assistance, have questions or need additional information, you may also contact the Tennessee Judicial Program ADA Coordinator:

Pat Carson, Compliance Officer  
Knox County Human Resources Office  
Suite 360 City-County Building  
400 Main Street, Knoxville, Tennessee 37902  
Voice Phone: 215-2952 TTY: 215-2497

Pamela Taylor, Manager/Coordinator  
STATE Judicial ADA Program  
Administrative Office of the Courts  
Nashville City Center, Suite 600, 511 Union Street  
Nashville, Tennessee 37219  
615-741-2687 Fax: 615-741-6285

The Tennessee Judicial Branch Americans with Disabilities Act Regarding Access to Judicial Programs, as Well as a Request for Modification form may be found online at [www.tsc.state.tn.us](http://www.tsc.state.tn.us).

**AFFIDAVIT OF SWORN ACCOUNT**

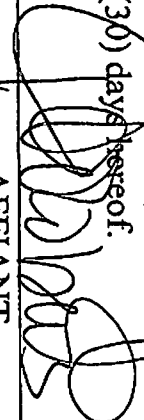
**STATE OF TENNESSEE**

**COUNTY OF KNOX**

Comes HEATHER ROBERTS, the affiant herein and after being duly sworn according to law and upon oath states that he/she is the ACCOUNT REPRESENTATIVE of NATIONAL FITNESS CENTER, INC. and that he/she as such officer is authorized to make the affidavit.

That he/she is familiar with the books and business records of NATIONAL FITNESS CENTER, INC. and that the account against MARY BURDINE of KNOXVILLE Tennessee is just and correct and with the knowledge of the affiant, that credit has been duly given for all payments and just and lawful offsets to which said account is entitled as thereon stated, and that the balance thereof, amounting to the sum of \$5781.78 is just and remains unpaid subject to additional costs and attorney fees as provided.

Affiant further swears that the defendant is not now in the military service as defined in the Soldiers and Sailors Relief Act of 1940, with amendments, nor has he/she been in such service within thirty (30) days thereof.

  
\_\_\_\_\_  
AFFIANT

Sworn to and subscribed before me this  
The 30 day of April, 20 18.

  
\_\_\_\_\_  
NOTARY PUBLIC

MY COMMISSION EXPIRES: 3/3/19

**NOTICE REQUIRED BY THE  
FAIR DEBT COLLECTION PRACTICES ACT  
15 U.S.C. SECTION 1692(g)**

You may dispute the validity of this debt, or any portion thereof, within thirty (30) days of receipt of this notice. If you fail to dispute this debt within thirty (30) days, the debt will be assumed to be valid by this office.

If you notify this office within the thirty (30) day period that the debt, or any portion thereof, is disputed, this office will obtain a verification of the debt or a copy of the judgment and a copy of the verification will be mailed to you. If the creditor to whom this debt is owed is not the original creditor, and if you make a written request to us within the thirty (30) day period, the name and address of the original creditor will be mailed to you.

The amount of your debt is set forth in the attached reinstatement letter. The name of the creditor to whom the debt is owed is set forth in the heading of the attached reinstatement letter.

If you have been discharged of personal liability in a Bankruptcy proceeding, this office will not seek to collect this debt from you personally. Unless you have been so discharged by a Bankruptcy Court, this communication is for the purpose of collecting a debt. Any information we may obtain from you will be used for that purpose.

Written request pursuant to this notice should be addressed to the following:

Stanley F. Roden  
Attorney at Law  
PO Box 50426  
Knoxville, TN 37950-0426

'THIS IS AN ATTEMPT TO COLLECT A DEBT ANY INFORMATION  
OBTAINED WILL BE USED FOR THAT PURPOSE.  
THIS COMMUNICATION IS FROM A DEBT COLLECTOR